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**BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH**

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENT:

CHAD BUTLER

1412 S. Legend Hills Dr., Suite 230
Clearfield, UT 84015
License No. 106608

**STIPULATION
&
ORDER**

Docket No. 2006-042 LF

Enf. Case No. 1785

STIPULATION

1. Respondent, Chad Butler, is a licensed insurance agent in the State of Utah, holding License No. 106608.

2. Respondent stipulates with the Complainant, Utah Insurance Department, as follows:

- a. If a hearing were held, witnesses called by the Complainant could offer and introduce evidence that would support the Findings of Fact herein;
- b. Respondent admits the Findings of Fact and Conclusions made therefrom;
- c. Respondent stipulates to the summary entry of the Order herein which shall be in lieu of other administrative proceedings by Complainant in this matter; and

d. Respondent and Complainant have negotiated the terms of the Order entered herein and Respondent agrees to its entry and further agrees to be bound by all its terms.

3. Respondent is aware of his right to a hearing at which he may be represented by counsel, present evidence and cross-examine witnesses. Respondent has irrevocably waived his right to such hearing and to any appeal related thereto.


4. Respondent admits the jurisdiction of the State of Utah Insurance Commissioner as to all matters herein.

5. Respondent is acting herein free from any duress or coercion of any kind or nature, having been advised fully as to his rights set forth herein.

6. Respondent acknowledges that the issuance of this Order by the Commissioner is solely for the purpose of disposition of the matter entitled herein.

DATED this 19 day of June, 2006.


CHAD BUTLER


UTAH INSURANCE DEPARTMENT
M. Gale Lennon, Assistant Attorney General

Based upon the foregoing Stipulation and information in the file, the Presiding Officer makes the following Findings of Fact:

FINDINGS OF FACT

1. On or about April 24, 2006, Respondent Chad Butler placed a telephone call to an insurance agent in the State of Utah, Nathan May. Respondent represented himself to be Brandon Stanger, and claiming to be an accountant for a "mutual client" and requesting dividend information for a Farm Bureau whole life product. Respondent stated that he required the information to make an unbiased, independent recommendation on the purchase of life insurance to this "mutual client." Respondent provided a number for the information to faxed to him.

2. In addition to representing himself as someone other than who he was, Respondent was not an accountant, but a competitor to Mr. May, and the two had no "mutual client." Further, rather than intending to make an unbiased, independent recommendation on the purchase of life insurance, Respondent wanted the information to use in making sales presentations in behalf of competitors of Farm Bureau.

3. Brandon Stanger, who Respondent represented himself as, was a co-worker of the Respondent, and Mr. Stanger did not know that Respondent was representing himself to be Mr. Stanger.

Based upon the foregoing Stipulation and Findings of Fact, the Presiding Officer enters the following Conclusions of Law:

CONCLUSIONS OF LAW

1. In making communications relating to a licensee or an insurance product that contained false or misleading information, Respondent violated Utah Code Annotated § 31A-23a-402(1)(a)(i)

2. In representing himself to be another licensee and not himself, Respondent violated Utah Administrative Code Rule R590-154-5-A.

Based upon the foregoing Stipulation, Findings of Fact and Conclusions of Law, the Presiding Officer herewith enters the following Order:

ORDER

IT IS HEREBY ORDERED:

1. Respondent is assessed an administrative forfeiture in the amount of \$500.00, to be paid within 30 days of the date of this Order.

2. Respondent's insurance agent's license is placed on probation for a period of one year beginning with the date of this Order. The terms of said probation are that Respondent shall pay the forfeiture assessed herein in a timely manner and shall have no further violations of the Utah Insurance Code or Rules or of any order of the commissioner.

NOTIFICATION

Respondent is hereby notified that failure to abide by the terms of this Order may subject you to further penalties, including additional forfeitures of up to \$5,000.00 per violation and the suspension or revocation of your license, and the filing of an action to enforce this Order in the District Court, which may impose penalties of up to \$10,000.00 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

DATED this 5th day of July, 2006.

D. KENT MICHIE
INSURANCE COMMISSIONER


MARK E. KLEINFELD, Esq.

Administrative Law Judge
Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, Utah 84114
Telephone (801) 538-3800

**UTAH
Invoice**

Page 1

Printed Date: June 26, 2006

Invoice Date: June 26, 2006
Balance Due: \$500.00
Due Date: July 31, 2006
Invoice ID: 295521

*posted
6/27/06*

BUTLER CHAD
1412 S LEGEND HILLS DR STE 230
CLEARFIELD UT 84015

Item Description

Monetary Penalty Individual

Amount

\$500.00

Original Amount Due

\$500.00

*E Case 1785
Docket 2006-642 LF*

**UTAH
Invoice**

Printed Date: June 26, 2006

Invoice Date: June 26, 2006
Balance Due: \$500.00
Due Date: July 31, 2006
Invoice ID: 295521

Make checks payable to: Utah Insurance Department

Send payment to:

Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114-6901

Detach and Return with Payment